

REMARKS

This reply is submitted pursuant to 35 U.S.C. §132 and 37 C.F.R. §1.111. The Office Action was carefully considered by applicant and undersigned attorney. Reconsideration is respectfully requested.

As the Office Action was "Final", this reply is submitted with a Request for Continuing Examination (RCE) under the provisions of 37 C.F.R. §1.114.

1. Summary of the Office Action.

Claims 1, 3, 5 and 7-9 were pending.

Claim 3 stands rejected under 35 U.S.C §112, second paragraph.

Claims 1, 3, 5 and 7-9 stand rejected under 35 U.S.C §103(a) over Guggemos (3364635 in view of Ventura-Berti (5339594).

Claims 3, 5, 7 and 8 were objected to.

2. Discussion.

Claim Objections

Claims 3, 5, 7 and 8. These claims were objected to as being informal. The claims are amended to correct the informality. The examiner is thanked for pointing this informality out. Withdrawal of the objection is believed to be in order.

Claim Rejections - 35 USC §112, Second Paragraph

Claim 3. This claim was rejected under 35 USC §112, second paragraph. The claim has been amended to recite that the connector(s) is disposed “at a lower section of the post”. An example of This structure is shown in Fig. 2 and described at page 3, lines 18-20. The claim particularly points out and distinctly claims the subject matter which applicant regards as the invention. Withdrawal of the rejection is requested.

Claim Rejections - 35 USC §103

Claims 1 and 9. These claims were rejected under 35 USC §103(a) as being obvious over Guggemos in view of Ventura-Berti. Applicant respectfully submits that the claims as previously presented are patentable over the combination of applied references. The claims as previously presented recite that the conductive lead is “integrally formed with and connected to the tube.” In applicant’s first Reply he explained in his Remarks about twice amended claim 1 that this means that the leads are integrally formed *with the body*. The conductive leads 47 of Guggemos are not formed in and with the tube or body 32 of the pole 11. Instead they are disposed in the hollow cavity of the tube as shown in FIGS. 1A and 2 and described at column 3, lines 57-64.

This arrangement is typical of the prior art. So, applicant believes that the claims are patentable "as is" because the applied combination or references still fails to show, suggest or render obvious each and every element of the claims. However, to more clearly patentably distinguish his invention from the prior art, applicant has amended claims 1 and 9 to require to require that the leads are disposed within the body of the pole. The claims now recite that the tube have a wall (supported on page 2. line 5 of the specification) surrounding the hollow core and that the lead be formed within the wall. This structure and function is clearly not shown, suggested or made obvious by the applied art. This difference is patentably significant because the amended elements relate to advantages and benefits of the invention. With electric wires included into the pole core construction, simple electrical connections only need be made in the lower and upper ends of the pole to quickly and simply erect the pole into its final destination. The upper end wiring can be made ready before to further simply the erection process. There is no need to fix the wires inside the pole hollow to the inner wall of the hollow. The wires are in a safe place where no accidents can take place so the pole is safer than prior art poles. Applicant submits that this amendment clearly patentably avoids the applied art. Withdrawal of the rejection is respectfully requested.

Remaining Claims. The remaining dependent claims each adds at least one limitation to the elements of its base claim, and is therefore deemed to be allowable with such base and any intervening claim, at least for this reason. Amendments were made to some of these claims in view of the amendments to the base claims, rejections, and/or cancellation of claims.

3. Conclusion.

The pending claims are believed to be patentable for the reasons stated above. The amendments are believed to be supported by the specification, claims and drawings as filed. It is believed that this case is in a condition for allowance. Reconsideration and favorable action are respectfully requested.

Should the Examiner believe that telephone communication would advance the prosecution of this case to finality, s/he is invited to call at the number below.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time under 37 CFR 1.136(a), provided a Petition is not submitted separately.

Please charge any fee due not paid by a check or credit card provided herewith, and/or charge any underpayment in any fee, and/or credit any overpayment in fee, to Deposit Account No. 19-2381.

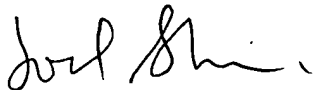
ANY FEES DUE ARE CALCULATED AS FOLLOWS:

| | <u>NUMBER</u> | <u>FEE</u> |
|---|------------------------------|------------|
| TOTAL Claims Remaining over that Previously Paid: | None | \$0 |
| INDEPENDENT Claims Remaining over that Previously Paid: | None | \$0 |
| | SUM Claim Fees: | \$0 |
| EXTENSION Fees: | | \$245 |
| OTHER Fees: | RCE | \$405 |
| | <u>TOTAL AMOUNT (if any)</u> | \$650 |

☐ Paid by enclosed check.

☒ Paid by enclosed Credit Card Payment Form(s) PTO-2038.

Respectfully submitted,



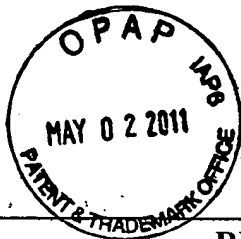
Joel D. Skinner, Jr.
Reg. No. 33,786

Date:

4-25-11

Skinner and Associates Customer No. 24339
212 Commercial Street
Hudson, Wisconsin 54016
Tel.: (715) 386-5800
FAX: (715) 386-6177
Internet e-mail: info@skinnerlaw.com

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REQUEST FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. 1.136(a), Applicant(s) requests that a 2 month extension be granted in which to file the attached communication.

A \$ _____ payment, for a small entity, is enclosed for the fee required under 37 CFR 1.17.

Please charge any additional or underpayment in fee due, or credit any overpayment, to Deposit Account No. 19-2381.

Respectfully submitted,

Date: 4-25-11

Joel D. Skinner, Jr.
Reg. No. 33,786